

EPHRATA TOWNSHIP SUPERVISORS' MEETING

February 20, 2018

The Ephrata Township Supervisors met this date at 7:00 a.m. at the Ephrata Township Office Building, 265 Akron Rd., Ephrata, Pennsylvania.

Present were Supervisors: Clark Stauffer
Tony Haws
Ty Zerbe
Manager: Steve Sawyer
Engineer: Jim Caldwell
Solicitor: Anthony Schimaneck

The meeting was called to order by Chairman Clark Stauffer followed by the Pledge of Allegiance to the Flag.

PUBLIC COMMENTS NON-AGENDA ITEMS

Scott Sweigart of 127 Schoeneck Road was present. Mr. Sweigart stated that there is an abundance of truck traffic along Schoeneck Road and Stevens Road that are using their jake brakes approaching the intersection. He stated that it is daily from as early as 4 a.m. until 4 p.m. Manager Sawyer stated that he sent letters to local businesses notifying them of the complaints and requesting that they have their driver's limit the use of engine retarders at the intersection. Mr. Sweigart stated that he felt that it was more of a problem from independent truck drivers than the local businesses' employees. It was discussed that Schoeneck Road is a PennDOT road and any signage would need PennDOT approval. Staff was directed to contact PennDOT to notify them of the complaint received.

A motion was made by Ty Zerbe to close the Public Comment Period. The motion was seconded by Tony Haws and carried unanimously.

APPROVAL OF MINUTES

Supervisor Tony Haws pointed out an error on page three (3) in the Community Park – Dog Waste Issues section. The 4th sentence should read, “The park rules currently require that dogs must be leashed and that the owner is responsible to pick and dispose of dog waste”.

A motion was made by Ty Zerbe to dispense with the reading of the February 6, 2018 Supervisors' minutes and to approve them as corrected. The motion was seconded by Tony Haws and carried unanimously.

PAUL MOORE – SCHOOL RESOURCE OFFICER REORT

Officer Moore gave them an overview of all the different programs including education and training he has provided to the Ephrata Area School District. He stated that he participates in programs at each school within the district. All Municipalities in the

Ephrata Area School District are helping fund the SRO Program and that is helpful not to worry about municipal boundaries.

EPHRATA CROSSINGS – REQUEST FOR LETTER OF SUPPORT

Richard Stauffer of Ephrata Crossings has contracted GMS Funding Solutions to help him apply for a grant for the public road transportation infrastructure improvements proposed with the Ephrata Crossing Commercial project. The proposed plan and scope of the improvements were reviewed with the Board of Supervisors. An executive summary was also provided and it was explained that they are requesting a Letter of Support from both Ephrata Township and Ephrata Borough as part of their grant application. Act 89 of 2013 provides the funding for the PennDOT Multimodal Transportation Fund Program. The grant application period is open during the month of March and the grants are usually awarded in November. The grant recipient is responsible to pay all invoices and then will be reimbursed through the grant. The Developer is also responsible to obtain an approved Highway Occupancy Permit from PennDOT and provide financial security for the entire project cost. The improvements are estimated to cost 3.6 million dollars. Approximately 1.4 million dollars will be funded by the developer. They are applying for a grant in the amount of 2.2 million dollars. A sample of a support letter was provided to the Board of Supervisors for review. In addition to the support letter, there was also a request and sample of a planning and zoning consistency letter. Attorney Schimaneck stated that the Township could provide a zoning consistency letter but land development plans have not been submitted for the commercial development so the Township cannot provide a planning consistency letter.

A motion was made by Ty Zerbe to direct staff to prepare a modified Support Letter for Property Investing and Management Inc. / Ephrata Crossing's grant application. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to direct staff to prepare a modified Zoning Consistency Letter for Ephrata Crossing grant application. The motion was seconded by Tony Haws and carried unanimously.

SCOTT COVER – ORGANIC POULTRY PARTNERS – REQUEST FOR LETTER OF SUPPORT

Organic Poultry Partners were present to request a Letter of Support for their use in pursuing grant funds for their proposed project at 501 Alexander Drive. The Ephrata Township Zoning Hearing Board recently approved the proposed chicken processing plant at this location. Mr. Cover provided information that the project cost is estimated at 30 million dollars. The business is projected to employ 80 people in its first year of production, generate 30 million dollars in sales and an expected 80 million in year 5 and increasing employment to over 140 local personnel. The plant improvements are beginning now and production is planned for 2019. A Land Development Plan will be submitted to the Township in the near future. A Letter of Support received from Senator Schwank was presented to the Board of Supervisors. Organic Poultry Partners have reached out to several State Legislators in the local area and they will be helping them

with researching the available grant funding available. It was discussed who the Letter of Support should be addressed to because of the uncertainty of the grants being pursued by Organic Poultry Partners. It was decided that if the Township would agree to prepare a Letter of Support it should be addressed to Organic Poultry Partners which would then give them the ability to use the letter regardless of the grants they pursue.

A motion was made by Tony Haws to authorize staff to prepare a letter to Organic Poultry Partners stating that zoning has been approved by Ephrata Township for their proposed operation. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **Reiff Agreement – Rail Trail Parking Lot.** Manager Sawyer notified the Board of Supervisors that Nathan and Grace Reiff of 2902 Rothsville Road have agreed to provide the Township with a permanent Easement of 15 feet by 300 feet for the proposed parking lot off Millway Road and a temporary construction easement for storm water improvements for no compensation. Manager Sawyer is requesting the Board of Supervisors execute the Agreement as presented and authorize staff to send a thank you letter to the Reiff's for their support of the rail trail project.

A motion was made by Ty Zerbe authorizing the execution of the Agreement Providing for Grant of Easements between Nathan and Grace Reiff and the Township of Ephrata and directed staff to prepare a thank you letter for the Reiffs. The motion was seconded by Tony Haws and carried unanimously.

- **Resolution – Co-Operative Roadwork Bidding and Purchasing.** Manager Sawyer and Randy Groome, and Tom Huber attended a Municipal Joint Bidding and Purchasing Meeting with other neighboring Municipalities. Brecknock Township will be taking the lead this year and handling all the paperwork for the bidding process. Manager Sawyer recommended adoption of a Resolution authorizing Ephrata Township to participate in a joint bid process for chip seal coating and line painting.

A motion was made by Tony Haws to approve the Resolution for Ephrata Township to participate in a Joint Bidding and Purchasing Agreement for 2018 as recommended by Manager Sawyer. The motion was seconded by Ty Zerbe and carried unanimously.

- **Trail Parking Lot – Autumn Hills.** Manager Sawyer showed the Board of Supervisors the Approved final plan for Autumn Hills Phase 3. The plan shows a parking lot for the proposed walking trail which will be an extension of the Warwick to Ephrata Rail Trail. It was discussed that the location of the parking lot was on a cul-de-sac in the back corner of the development. Manager Sawyer, Jim Caldwell and Gerry Horst all believe that a better location for the parking lot would be lot #35 which is located on the main collector road for the development that extends from Mohler Church Road to North State Street. Manager Sawyer stated that Rettew Associates and Gerry Horst's Engineer, Rob Gabriel, are

currently working on the plans for the Township's Pollution Reduction Plan Project and the parking lot and trail should be included with this plan. The Board agreed with staff's recommendation to relocate the parking lot to lot 35.

In addition, Jim Caldwell stated that he had a meeting with Lori Yiech, DCNR Regional Advisor, and she indicated that there are stronger grant applications being submitted in this grant funding cycle. Based on the meeting with Ms. Yiech, Mr. Caldwell recommended that the Township not pursue a DCNR grant for this project. The Board agreed with the recommendation from Mr. Caldwell. Rettew Associates is looking into other possible grants that may be available.

- **Lawrence Leid Rezoning Request.** At the February 7, 2017 meeting, Manager Sawyer presented to the Board of Supervisors a letter dated January 13, 2017 from Lawrence Leid of 192 Slate Road requesting the Township rezone his property from Mineral Recovery to Agricultural. Mr. Leid is interested in preserving his entire property which consists of two (2) separate tracts. The 16 acre tract on the south side of Slate Road is currently zoned Mineral Recovery and cannot be preserved unless it is zoned Agricultural. At that time, the Township also received a letter from Jeffrey Detwiler of New Enterprise Stone & Lime Co. requesting the Township table their decision on whether to consider the request for 30 days. New Enterprise Stone would like the opportunity to contact Mr. Leid to discuss other options. In addition, Manager Sawyer received a phone call from Mr. Leid requesting that the Township table his request for consideration of rezoning until further notice. He stated that he is having discussions with New Enterprise Stone & Lime Company and will contact the Township if he would like to pursue his rezoning request. Manager Sawyer stated that Lawrence Lied has not reached an agreement with New Enterprise to date and has submitted a Rezoning Application to the Township. Kevin Baer of the Lancaster County Preserve Board provided a plot plan, narrative and legal description. It was discussed that there was no time limit for the Township to act on the request. Chairman Stauffer stated that he will contact Mr. Leid to discuss his request prior to the next meeting.
- **Mother's Day Convoy.** The Township received the annual mailing from the Make-A-Wish Foundation for the Mother's Day Truck Convoy which includes the required PennDOT Event Permit and an Indemnification Agreement. The permit and agreement are identical to the forms approved by the Township in prior years. The convoy uses only PennDOT roads (Route 222 and Route 322) in Ephrata Township. Manager Sawyer notified the Board of Supervisors that he spoke to Chief Harvey and was told that there were no changes from last year's request and that the Ephrata Police Department has no concerns with the event.

A motion was made by Ty Zerbe to accept and authorize the execution of the Event Permit and Indemnification Agreement as presented for the Make-a-Wish Foundation Mother's Day Convoy. The motion was seconded by Tony Haws and carried unanimously.

- **Ragnor Relay.** Manager Sawyer stated that the Township received an email notifying the Township that on June 15th and June 16th a relay event has been scheduled. The event will travel through Ephrata Township along a section of the rail trail and Stevens Road. Manager Sawyer contacted Chief Harvey and he did not have any concerns. Ragnar Relay will be providing a Certificate of Insurance and is requesting that the Township provide a letter acknowledging the route for their PADOT permit.

A motion was made by Tony Haws authorizing staff to prepare an acknowledgment letter of the Ragnor Relay Event as required by PennDOT. The motion was seconded by Ty Zerbe and carried unanimously.

- **Ephrata Youth Soccer- Field Reservation.** The Ephrata Baseball Association and the Ephrata Youth Soccer Club have submitted applications to use the fields at the Ephrata Township Community Park this spring/summer.

A motion was made by Ty Zerbe to approve the Field Use Application received from Ephrata Youth Soccer and Ephrata Baseball Association. The motion was seconded by Tony Haws and carried unanimously.

Engineer Jim Caldwell reported that there are three (3) plans in the review process.

Dave & Rhoda Martin – Land Development Plan
Lakeside Villa – Preliminary Land Development Plan
Ephrata Crossing – Preliminary Land Development Plan

Solicitor Anthony Schimaneck

Solicitor Schimaneck stated that he had nothing more to report.

Road Superintendent – Randy Groome

A list of projects and work completed by the Road Crew for the month of February to date was provided and submitted to the Board of Supervisors for review and discussion.

APPROVAL OF BILLS

A motion was made by Ty Zerbe to accept the list of checks written and to pay any bills pending. The motion was seconded by Tony Haws and carried unanimously.

CORRESPONDENCE

Tony Haws reported that there was no additional correspondence to report at this time.

February 20, 2018 Supervisors' Meeting minutes continued

A motion was made by Ty Zerbe to adjourn the meeting at 9:40 a.m. The motion was seconded by Tony Haws and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe